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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

DON'T SHOOT PORTLAND, et al.

Plaintiffs

v.

CITY OF PORTLAND, a municipal
corporation,

Defendant.

Case No.

DECLARATION IN SUPPORT OF
PETITION FOR TEMPORARY
RESTRAINING ORDER

I, Allyxandra Theus, declare as follows pursuant to 28 USC § 1746:

1. I have personal knowledge of the information contained in this declaration. If called upon to do so, I could and would competently testify regarding the matters set forth herein.
2. I have been a Portland resident since November 2019.
3. On June 2nd, 2020, at approximately 9:15 p.m., the police shot tear gas at me and the hundreds of people standing on SW 4th Ave between SW Salmon and SW Taylor streets.
4. I was there to protest with my brothers and sisters to affect change in support of the Black Lives Matter movement, which is a movement that is powerful, nonviolent, and examines the systemic injustices that exist at the intersection of race, class, and gender. On a policy level, I believe in defunding the police in order to reallocate money to historically impoverished communities of color. Black lives are too often rendered disposable by law enforcement, the callous disregard for human life has resulted in the tragic deaths of harmless, unarmed individuals. I marched and stood for every single one of them who can no longer march alongside me.
5. Tuesday night's protests began at 6:00 p.m. on the lawn of Washington High School. We continued from there onto Burnside, eventually crossing over the Burnside bridge and making it to pioneer square. I came to the protest with my best friend.
6. I would say 90% of people present wore masks and exercised respect for other people's space in these pandemic times.

7. The signs people made were elaborate, artistic, and inspirational. One had written out the words spoken by George Floyd while his neck was being held down for 9 minutes by Derek Chauvin's knee. I made a sign featuring the black fist which read Black Lives Matter on the back. People chanted numerous things, such as "peaceful protest," "no justice, no peace," "take off your riot gear, I don't see no riot here." As the tensions rose those chants began including "quit your job," "ACAB," and "Who are you protecting?"
8. Once we arrived at Pioneer Square, the police had barricaded several side streets and stood on the opposite side of the fence in full riot gear. I was standing with a group of roughly 200 people at one of these barricades to peacefully stand up to the officers. From 8-9 p.m. things were peaceful. Then the police began making announcements on the intercom, telling people that, if they laid hands on the fence, they would be subject to use of force.
9. Without absolutely any physical provocation, the police began firing tear gas into the crowd. They made several warning announcements prior about using force against people who tamper with the fence, yet because I was being peaceful and did not see any physical violence toward the police, it still arrived as a terrifying shock to be hit with a chemical agent.
10. They fired several rounds into the crowd, about half of the crowd ran off screaming. Protestors encouraged each other not to run, as that draws attention to them and makes them targetable. I was one of the few who was remaining at this point, still in total shock and trying to record what I could while defending my right to assemble. One protestor shot fireworks in response to the tear gas, but it is

rumored that this was the action of the proud boys organization coming to our protests to engage in escalation tactics. Again, that happened only after tear gas and flash grenades were deployed by the police.

11. As I began to realize that their cloud of tear gas at the gate was inescapable, I turned around to start running away, only to find that the police had tear gassed both ends of the block, trapping us inside with no way to escape the gas. The police shot tear gas at the front of the group of protesters near the fence and behind the group, far away from the fence. I had to make the hard choice to run as fast as I could through one enormous cloud of gas in order to reach the only clean air on the other side.
12. Once I made it to SW Taylor and SW 5th, I collapsed in the front of a building completely unable to see or breathe. Another protestor collapsed before I did and passionately begged me for help getting milk out of his bag for his eyes because he was too hurt to look for it. I was in too much pain to help him and I still feel guilty that I couldn't help him. We both ended up recovering as well as we could within 15 minutes and separated.
13. At this point I lost my friend whom I had arrived with; we both ran away from the gas unable to see or stay together. I wear contact lenses but I was equipped with large goggles and a gas mask, but I still suffered greatly, with my eyes bloodshot and my nose streaming snot down my face. My throat was roasted and every breath of air felt like I was breathing in flames. There is nothing that I could do to eradicate the pain other than to suffer through it.
14. That was my first experience with being tear gassed. I've had a bit of a cough for

the last couple of days, but my eyes are doing okay. I do not have health insurance and have no financial capability of visiting a doctor.

15. Emotionally this has been incredibly taxing. I went out again to protest on Wednesday night but was far too drained mentally to be present on Thursday. I would be lying if I said I wasn't afraid as well. My heart races uncontrollably every time I see the footage of being gassed; it brings me back to the moment of fear I felt at the time in which it happened. The definition of putting yourself on the line took on new meaning for me. Enduring what I did simply to protect my right to protest, no matter the cost.
16. I've spent days feeling helpless, traumatized, and pessimistic about the prospect of police accountability. I never expected this kind of thing to happen to me, until it did. I have attended protests throughout my life but never have encountered the excessive use of force displayed by the PPB on Tuesday evening, June 2.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on June 5, 2020.


Allyxandra Theus (Jun 5, 2020 13:52 PDT)
Allyxandra Theus